

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeannie Boettler on 11/15/2008.

The application has been amended as follows:

In the claims:

<sup>31</sup>  
In claim ~~4~~ at line 3, delete the phrase "as gene product wherein the gene product is".

12/18/08  
T.T.

Claim 45 has been amended to read as follows: A transgenic fish selected from the group consisting of zebrafish and medaka fish, whose genome comprises a transgene comprising a gene encoding i) an ablation promoting moiety, or ii) a coupled expression system consisting of an ablation promoting moiety and a cellular reporter protein that facilitates detection of cells expressing the transgene, wherein the ablation promoting moiety comprises at least one component of a pro-drug conversion system, and wherein the gene is operably linked to a minimal promoter element whereby random integration of the transgene into the genome of the fish has resulted in operable linkage of the transgene to an enhancer element that leads to expression of the gene in a specific reproducible spatial and temporal pattern.

In claim 48 at line 3, delete the phrase "as gene product wherein the gene product is".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Valarie Bertoglio whose telephone number is (571) 272-0725. The examiner can normally be reached on Mon-Thurs 5:30-4:00.